

DUANE MORRIS LLP

Brian McQuillen

Vanessa C. Hew

R. Terry Parker

1540 Broadway

New York, NY 10036-4086

Tel: (212) 692-1015

Fax: (212) 202-7804

*Attorneys for Defendant and Counterclaim Plaintiff
Kwik Lok Corporation*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SCHUTTE BAGCLOSURES INC.,

Plaintiff,

v.

KWIK LOK CORPORATION,

Defendant.

KWIK LOK CORPORATION,

Counterclaim Plaintiff,

v.

SCHUTTE BAGCLOSURES INC.

SCHUTTE BAGCLOSURES B.V.

Counterclaim Defendants.

) Case No. 12-cv-5541 (JGK)

) ECF CASE

) **DECLARATION OF BRIAN**
) **MCQUILLEN IN SUPPORT OF**
) **DEFENDANT'S REPLY IN SUPPORT**
) **OF KWIK LOK'S MOTION FOR**
) **PARTIAL SUMMARY JUDGMENT**

I, BRIAN MCQUILLEN, hereby declare:

1. I am a partner at the law firm, Duane Morris LLP, attorneys for defendant/counterclaim plaintiff Kwik Lok Corporation ("Kwik Lok"). I hereby submit this declaration in support of Defendant's Reply in Support of Kwik Lok's Motion for Partial Summary Judgment.

2. Attached hereto as Exhibit L are select pages from Wout Abbenhuis' deposition transcripts which were recorded on April 14, 2014 and April 15, 2014.

3. Attached hereto as Exhibit M are select pages from Frank Van Drunen's deposition transcript which was recorded on April 9, 2014.

4. Attached hereto as Exhibit N are website print-outs from the United States Patent and Trademark Office and a Thomson Compumark Saegis database search which show there are no trademark registrations for the mark SCHUTLOK or trademark applications or registrations directed to SCHUTLOK owned by Schutte Bagclosures, Inc. or Schutte Bagclosures B.V.

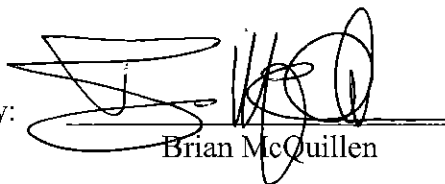
5. Attached hereto as Exhibit O are select pages from the Statement of Appeal filed in the Court of Appeal of The Hague docket number 2008/0432, which were produced in this litigation bearing bates numbers KL0005046-KL0005047 and KL0005113-KL0005116.

6. Attached hereto as Exhibit P is a true and correct copy of the Consent Judgment filed in Kwik Lok Corporation v. World Manufacturing, Inc. Case No. 91-CV-1625, which was produced in this litigation bearing bates numbers KL0001887-KL0001892.

7. Attached hereto as Exhibit Q is a true and correct copy of website print-outs from www.clippsamerica.com with a date stamp indicating printed on May 9, 2014 which was produced in this litigation by Schutte Bagclosures Inc. on May 9, 2014 bearing bates numbers SCHUTTE/KWIK LOK 3793-3796.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July 7, 2014
New York, New York

By: 
Brian McQuillen